THE NEW YORK HERALD

BOOKS *and* MAGAZINE

SECTION EIGHT NEW YORK, SUNDAY, NOVEMBER 19, 1922. TWENTY-FOUR PAGES.

A Maine American: Just and Upright

A Review by EDWARD P. MITCHELL.

NATHAN CLIFFORD. Democrat (1803-1881). By Philip Greely Clifford. New York. G. P. Putnam's Sons, 1922.

An important cross section of American political history and an engaging portrait of a typical Yankee of clean cut intelligence and forceful character combine to give distinction to Philip G. Clifford's biography of his grandfather, Nathan Clifford, statesman and jurist. The book was probably undertaken as a work of piety, but it has revealed in the biographer the qualities of a sure-enough historical artist, impartial judgment, grasp of the significance and perspective of events and uncommon clarity of narrative style.

It will be welcomed and read not only for the new light its incidental documents throw upon critical and stirring chapters of the past but also because of the human interest of this story of a New England will to succeed, persistent throughout an astonishing progress from an obscure lawyer's office in a little Maine village to some of the highest posts of national responsibility and influence.

Justice Clifford was a lifelong Democrat, uncompromising in his adherence even in the times when such adherence often meant something near to personal odium in the immediate community. But so apparent were the integrity of his Puritan conscience and the fearless honesty of his convictions that he seems to have kept in general his popularity all around, even in the bitterest controversies of party and of faction within party. His mind was both modest and intrepid. An incident characteristic of his readiness to sacrifice a promising career to his private conception of what was right for the public interest is told in President Polk's diary in the entry for November 13, 1846. This was less than two months after Clifford had become Attorney-General in the Polk Cabinet.

"Before the church hour this morning," wrote the President, "Mr. Atto. Gen'l Clifford called and greatly surprised me by informing me that he had prepared his letter of resignation of the office of Attorney-Gen'l of the U. S., and had called to confer with me on the subject. I at once expressed my astonishment to him, and told him I should greatly regret it, if he should take such a step. I told him that I was entirely satisfied with him, and hoped he should retain his place."

Mr. Clifford appears to have entertained some doubt of the adequacy of his experience and legal ability to meet, with so short a time for preparation, the crowding responsibilities of the office during the imminent session of the Supreme Court. Consequently, he went with all frankness to his chief, in the manner just related, with the resignation in his pocket, and remarking that perhaps the President had some other person in his mind who could perform the duties better than he could. Mr. Polk continues: "I told him I had not, and that if he were to resign it would greatly embarrass me. I think Mr. Clifford an honest man and a sincere friend. . . . He finally concluded not to tender his resignation, and retired apparently well satisfied at the interview I held with him."

That was fortunate for the country as well as for the Attorney-General. Nine days later Mr. Clifford argued before the exalted bench on which he was destined to sit for many years the case of the United States vs. the Bank of the United States, securing the reversal of the decision of the court below and establishing his own reputation for adequacy as a jurisconsult, both as to cogency of reasoning and as to vigor of presentation. The next day, December 23, his appointment to the Cabinet was unanimously confirmed by the Senate.

Certainly, the chronicles of office holding can afford few parallels, if any, to this voluntary and sincere proposal to withdraw from a greatly desired post of honor to make room for a better man. The incident is dwelt on here because it illustrates a dual factor in Nathan Clifford's make-up, notable at many crises in his career: diffidence or distrust, from the personal point of view, of his capacity in face of a difficult task involving interests transcending his own; and inflexible courage in matters of policy dependent on principle. The former quality appears over and over again in his remarkable letters to his wife Hannah, many of which are printed in this volume. The latter was attested by his public acts.

The immediate results of Mr. Clifford's decision to keep his letter of resignation in his pocket, instead of leaving it at the White House, were soon discernible. A tenderfoot in the Cabinet, brought into association and frequent clashes with Presidential advisers of much wider experience, James Buchanan, for example, he became the chief advocate, even as against Buchanan, the Secretary of State, of a vigorous prosecution of military operations in Mexico. His activities in stimulating administrative energy during the Mexican crisis and in holding the Government to a bold policy in its conduct of the war are comparable to those of Franklin K. Lane in President Wilson's Cabinet threescore and ten years later. The records of proceedings and conflicting views at the council table show beyond question that no influence was stronger at that time than Nathan Clifford's in shaping and keeping to the course which led to the Treaty of Guadalupe Hidalgo, with its immeasurable effect on the fortunes and destiny of our Republic.

The Road to Eminence.

For the completeness of the picture let us go back and follow rapidly the successive steps that had brought Clifford to the forefront in national affairs.

Though he was born in middle New Hampshire, no one would think of assigning him to the State of his nativity any more than of speaking of "Blaine of Pennsylvania." Such schooling as he got was obtained at Haverhill Academy and at New Hampton. Slender resources vetoed his hope of a college education at Dartmouth. Five years of dogged reading of the law in a country office admitted him to the bar.

He settled in the little town of Newfield, northwest of Portland, nailed up his professional shingle there, married a beautiful girl of seventeen, Hannah Ayer, a daughter of the leading family of Newfield, became an ardent partisan of Andrew Jackson in the campaign of 1828, and a convinced upholder of Jacksonian doctrine, and in two years or so was elected to the Maine Legislature on the Democratic ticket by a large majority, though from a town where, as his biographer has ascertained, there were scarcely a score of Democratic voters.

The session at which Mr. Clifford entered State politics in 1831 was the first with a Legislature Democratic in both branches and the last to be held at Portland previously to the removal of the capital to Augusta. Party controversy was animated over such leading issues as the Northeastern boundary dispute, the tariff, the slavery question in its earlier aspects, and particularly the proposed rechartering of the United States Bank. On all these questions, local and national, young Clifford held positive opinions, Democratic always, and spoke upon them earnestly and with acumen.

From this time, with brief intermissions now and then, and one longer interval of private life at Portland between 1850 and 1858, Nathan Clifford was continuously in the service of his State and country until his death in 1881. It is hard to recall the name of any American whose training and experience was gained, as has been remarked, "in a greater variety of important offices, State, Federal, legislative, executive and judicial," and the progress was steadily upward.

He matured early. In a few months he was a recognized party leader at Augusta. His industry of research and his grasp of the essentials of political or judicial questions are as apparent in a speech in 1832 in support of his resolution instructing and requesting the Maine Senators and Representatives to vote against the extension of the United States Bank charter, as in his thoroughly studied and well reasoned opinions in the Supreme Court nearly half a century later. It is interesting to note that in his championship of Jacksonian ideas on this then overshadowing issue in American politics his protagonist at Augusta was the brilliant young Whig leader William Pitt Fessenden, his junior by three years, who long afterward defeated him for the United States Senate. It was one of the greatest disappointments of Clifford's career that he never sat in the Senate.

In two years Clifford became Speaker of the House in the Maine Legislature and for two years he occupied that post. Then for four years he served as the Attorney-General of his State. Next, two terms in Congress, where the same qualities he had manifested at Augusta gave him quick repute as one of the ablest leaders and most convincing orators of his party, and where he again faced Fessenden. His second election to the House in 1840 as a Democrat was a conspicuous personal triumph, for that was the year of the "Tippecanoe and Tyler too" landslide, the famous year in which "Maine went hell bent for Governor Kent."

When Abraham Lincoln was sent to Congress from Illinois in 1846 Judge Clifford's episode in that quarter had been finished and he was beginning his executive and diplomatic career as Attorney-General in the Polk Administration in the peculiar fashion and with the far reaching consequences already noted.

New Light on the Mexican War.

There is in this volume an abundance of hitherto unedited material relating to the prosecution of the Mexican war and the negotiations which were its sequel. No clearer or more impartial or more satisfactory account of the progress of events, from Polk's announcement to Congress that "war exists and exists by the act of Mexico herself" to the ratification at Queretaro of the amended treaty, than that which Mr. Philip Clifford has given is to the knowledge of the present writer at hand. The grandson refrains noticeably from any show of eagerness to emphasize the importance of his grandfather's part; but the documents, many of them not previously accessible, and the private letters, all new to history, and the orderly marshaling of facts of record, will produce in the minds of most readers of the present generation a feeling of surprise that to the force of character and tact and skill of this man from Maine, unpracticed in diplomatic fencing and now chiefly remembered as a great and honorable jurist, is due so much of the credit for a contribution to national advancement vast as that which gave us the empire of the Pacific coast and the continental interior north of the Rio Grande by a conclusion which at the same time reestablished and preserved amicable relations with our southern neighbor.

Twice Nathan Clifford went to and sojourned in Mexico on this delicate mission, not unattended, as it proved, by personal danger from bandits and political assassins. In March, 1848, he was chosen by Polk as the person fittest by discretion and common sense and familiarity with the Government's purposes to supersede the somewhat overofficious Mr. Trist of Virginia as Commissioner Plenipotentiary. In that capacity he encountered and matched the finesse of Latin American diplomacy in the preliminary play of wits, and at Queretaro he effected the exchange of ratifications, returning to the city of Mexico to pay to the Mexican Government the first $3,000,000 of the stipulated $15,000,000 for the cession of upper California and New Mexico. Later in the same year he was appointed as the regular Envoy Extraordinary and Minister Plenipotentiary to the Mexican Republic, retaining that post until recalled by Secretary Clayton in September of 1849, after a change in the political complexion of the Administration.

During the second period of his Mexican experience it fell to Minister Clifford to bear the brunt of the controversy over the interpretation to be placed on the so called Protocol explaining the changes of omission which the American Senate had made in the treaty of Guadalupe Hidalgo before ratifying. Light on the subject is thrown by the correspondence, now published, between Mr. Clifford and

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